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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,927	03/12/2004	Matthew Luedtke	HYF 40060	6886

7590
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02/07/2006

EXAMINER

BASINGER, SHERMAN D

ART UNIT	PAPER NUMBER
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3617

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No. 10/798,927	Applicant(s) LUEDTKE ET AL.	
	Examiner Sherman D. Basinger	Art Unit 3617	

All participants (applicant, applicant's representative, PTO personnel):

(1) Sherman D. Basinger. (3)_____.

(2) Michael Piontek. (4)_____.

Date of Interview: 1/30/06&2/2/06.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: attached claims faxed January 26, 2006 and February 1, 2006.

Identification of prior art discussed: Keegan.

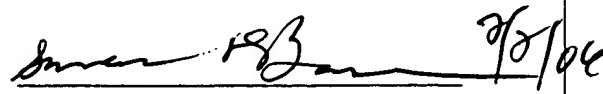
Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant faxed proposed claim amendments January 26, 2006. During a telephone interview held January 30, 2006 the examiner held the position that independent claims 1-3 and 40 were not clearly allowable over Keegan. It was suggested that applicant amend claim 1 to define "said one track rail having a vertical axis which extends downwardly intermediate the port and starboard track rails" to define over Keegan. It was further indicated that claims 23 and 26 would be allowable over the art of record. minor errors in claims 23 and 26 were discussed. Applicant faxed on February 1, 2006 another proposed amendment for claim 1. Again the examiner was not convinced of the allowability of this proposed claim. The examiner felt that no structural difference was being claimed which defined over Keegan. Most of the proposed changes appeared to be intended uses of the apparatus claimed. Further, the last five lines of claim 1 appeared to be new matter. applicant stated that support for these lines is found in the specification as originally filed. .

Claim 1 (currently amended). An apparatus for stacking cars carrying the sail of a sail boat, comprising a track along which said cars ride, the track comprising a first, generally straight, vertical upper section having one track rail, said first vertical upper section carrying most of the sail when said sail propels the sailboat and a second lower section including at least a port and a starboard generally straight, vertical storage track rails; , said second lower section at least port and starboard storage track rails being below said first section and carrying the sail on said port and starboard storage track rails storing most of said sail when the sail is not propelling the sailboat but is stowed, and guide structure means thereon for guiding cars to opposite track[s] rails of the at least port and starboard storage track rails of said lower section, said cars being stored on said at least port and starboard storage track rails effectively reducing the, at least about one half in vertical height of the stacked cars to their lowest positions when the sail is stowed, no user input being required to produce the stacking of said cars on said at least port and starboard track rails of said lower section when said sail is being lowered and no user input is required when raising said sail and said cars from said at least port and starboard track rails of said lower section to return the cars to a single file on said first generally straight vertical upper section one track rail.

Appl. No. 10/798,927
Response dated
Reply to Office Action of August 4, 2005

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended). An apparatus for stacking cars carrying the sail of a sail boat, comprising a track along which said cars ride, the track comprising a first, generally straight, vertical upper section having one track rail, said first vertical upper section carrying most of the sail when said sail propels the sailboat and a second lower section including at least a port and starboard generally straight, vertical storage track rails; said second lower section at least port and starboard storage track rails being below said first section and carrying the sail on said port and starboard tracks storage track rails storing most of said sail when the sail is not propelling the sailboat but is stowed, and guide structure means thereon for guiding cars to, opposite track[s] rails of the at least port and starboard storage track rails of said lower section, said cars being stored on said at least port and starboard storage track rails effectively reducing the vertical height of the stacked cars to their lowest positions when the sail is stowed.

Claim 2 (currently amended). A method for stacking sail cars to effectively reduce a vertical height of the sail cars when stacked upon stowage of the sail, the method comprising the steps of:

creating a track for engaging the sail cars, the track having an upper, generally straight vertical track centerline section and a lower section including at least a port

Appl. No. 10/798,927

Response dated

Reply to Office Action of August 4, 2005

and starboard sail storage tracks below said upper section;
creating guide means for guiding cars to opposite at least said port and starboard
storage tracks of the lower section; and
stowing most of the sail by lowering same along the upper track section until most of
the cars are received on said at least within the port and starboard storage tracks, serving
as stowage tracks for the sail when stowed.

Claim 3 (currently amended). An apparatus for compacting sail cars comprising a mast
track along which cars of the sail ride and are carried when the sail is raised, the track comprising
a single, generally straight vertical upper section and a lower section, for stowing the sail
including generally straight, vertical at least a port and a starboard storage track; the cars and
tracks having switch means for alternately switching cars to opposite port and starboard tracks of
the lower section, effectively reducing the vertical height of the stacked cars when the sail is
stowed, the track also incorporating structure for maintaining at least the bottom cars of the sail
along a centerline of the mast rather than to either side thereof.

Claim 4 (currently amended). An apparatus as in Claim 1, said guide structure means
further including sail switch means between said upper section and lower section for transferring
cars from between said upper section and said at least port and starboard track rails of said lower
section.

Appl. No. 10/798,927

Response dated

Reply to Office Action of August 4, 2005

Claim 5 (currently amended). An apparatus as in Claim 1, further including a mast and boom, said upper section extending up said mast to generally its upper end, said lower section's at least port and starboard track rails extending down below from adjacent said upper section to adjacent said boom.

Claim 6 (currently amended). An apparatus as in Claim 5, further including ~~said~~ switch means between said upper section and lower section for transferring cars between said upper section and said at least port and starboard track rails of said lower section.

Claim 7 (previously presented). An apparatus as in Claim 4, wherein said switch means pivots.

Claim 8 (previously presented). An apparatus as in Claim 6, wherein said switch means pivots.

Claim 9 (previously presented). An apparatus as in Claim 4, wherein said switch means comprises a "frog" track section.

Claim 10 (previously presented). An apparatus as in Claim 6, wherein said switch means comprises a "frog" track section.

Claim 11 (currently amended). An apparatus as in Claim 1, wherein at least some said cars carry [a] said sail.

Claim 12 (currently amended). An apparatus as in Claim 1, wherein at least some of said cars carry battens for [a] said sail.

Appl. No. 10/798,927

Response dated

Reply to Office Action of August 4, 2005

Claim 13 (currently amended). An apparatus as in Claim 1, wherein at least one of said cars carries a head board for [a] said sail.

Claim 14 (currently amended). An apparatus as in Claim 1, wherein at least two of said cars are mounted together by means other than said sail.

Claim 15 (currently amended). An apparatus as in Claim 4, wherein at least some of said cars carry [a] said sail.

Claim 16 (currently amended). An apparatus as in Claim 4, wherein at least some of said cars carry a batten for [a] said sail.

Claim 17 (previously presented). An apparatus as in Claim 4, wherein the lower section has at least three storage track rails.

Claim 18 (previously presented). An apparatus as in Claim 4, wherein the lower section has at least four storage track rails.

Claim 19 (currently amended). An apparatus as in Claim 5 [4], wherein another track rail is located between said at least two track rails of said lower sections, and one or more cars adjacent said boom are located on said another track rail.

Claim 20 (currently amended). An apparatus as in Claim 5 [4], wherein at least one or more cars adjacent said boom ride on and between said port and starboard track rails.

Claim 21 (previously presented). An apparatus as in Claim 4, for the mast and sail of a Marconi rig.

Appl. No. 10/798,927

Response dated

Reply to Office Action of August 4, 2005

Claim 22 (previously presented). An apparatus as in Claim 4, wherein said cars carry means to stagger said cars on said port and starboard track rails of said lower section.

Claim 23 (currently amended). An apparatus ~~as in Claim 22~~, for stacking cars carrying the sail of a sailboat, comprising a track along which said cars ride, the track comprising a first vertical upper section having one track rail and a second lower section including at least a port and a starboard track rails, guide structure means thereon for guiding cars to opposite tracks rails of the lower section, effectively reducing the vertical height of the stacked cars when the sail is stowed sail, switch means between said upper and lower section for transferring cars from between said upper section and said at least port and starboard track rails of said lower section, wherein said cars carry means to stagger said cars on said port and starboard track rails of said lower section, and said means to stagger includes a guide pin that rides in said track.

Claim 24 (currently amended). An apparatus as in Claim ~~23~~ 22, wherein said car is constructed to place said pin in one position to cause the car to go to the starboard track rail and in a second position to cause the car to go to the port track rail.

Claim 25 (currently amended). An apparatus as in Claim 7, wherein said switch means pivots is at the top.

Claim 26 (currently amended). An apparatus ~~as in Claim 4~~, for stacking cars carrying the sail of a sailboat, comprising a track along which said cars ride, the track comprising a first vertical upper section having one track rail and a second lower section including at least a port

Appl. No. 10/798,927

Response dated

Reply to Office Action of August 4, 2005

and a starboard track rails, guide structure means thereon for guiding cars to opposite tracks rails
of the lower section, effectively reducing the vertical height of the stacked cars when the sail is
stowed, switch means between said upper and lower section for transferring cars from
between said upper section and said at least port and starboard track rails of said lower section,
wherein said sailboat further including a boom to carry the sail, wherein one or more cars
adjacent ~~said boom~~ are carried by ~~upon cars riding~~ both said port and starboard track rails.

Claim 27 (previously presented). An apparatus as in Claim 1, wherein one of said lower track rails aligns vertically below said upper track rail and said other track rail is offset to the side of the said one lower track rail.

Claim 28 (currently amended). The apparatus as in Claim 1, wherein cam means are provided to move said cars onto one or the other of said lower storage track rails.

Claim 29 (previously presented). The apparatus as in Claim 1, for a sail of at least 60 feet in height.

Claim 30 (previously presented). The apparatus as in Claim 1, for a sail of at least 75 feet in height.

Claim 31 (previously presented). The apparatus as in Claim 1, for a sail of at least 250 feet in height.

Claim 32 (currently amended). The apparatus as in Claim 1, wherein the lower section has at least two storage track rails and the height of the stored stacked sail on said at least two

Appl. No. 10/798,927
Response dated
Reply to Office Action of August 4, 2005

storage track rails is about one half of that were the at least two storage track rails lower section not used.

Claim 33 (currently amended). The apparatus as in Claim 1, wherein the lower section has at least three storage track rails and the height of the stored stacked sail on said at least three storage track rails is about one third of that were the at least three storage track rails lower section not used.

Claim 34 (currently amended). The apparatus as in Claim 1, wherein the lower section has at least four storage track rails and the height of the stored stacked sail on said at least four storage track rails is about one quarter of that were the at least four storage track rails lower section not used.

Claim 35 (currently amended). An apparatus as in Claim 3, wherein said switch means comprises a movable section for ~~moving~~ transferring cars between the upper section and lower section's storage track rails.

Claim 36 (previously presented). An apparatus as in Claim 35, wherein said movable section pivots.

Claim 37 (previously presented). An apparatus as in Claim 35, wherein said movable section slides.

Claim 38 (currently amended). An apparatus as in Claim 1, wherein said guide means comprises one of pin means, magnet means, and cam means for ~~moving~~ transferring the cars to

Appl. No. 10/798,927

Response dated

Reply to Office Action of August 4, 2005

different lower section storage track rails.

Claim 39 (previously presented). An apparatus as in Claim 1, wherein the apparatus may be utilized to store or reef the sail.

Claim 40 (currently amended). An apparatus for fully raising and stowing a sail on the mast and along the boom of a sail boat, said sail being carried by a plurality of sail cars and batten cars up and down the mast, comprising a track on the mast along which the plurality of sail cars and batten cars can ride to raise or stow the sail, the track comprising a vertical upper section along which the sail cars and batten cars and sail can be raised, a lower section adjacent the boom and below the upper section along which the sail cars and batten cars and sail can be stowed, the lower section including at least a port and starboard tracks on to which the sail cars and batten cars can be moved to stow the sail, guide means for said sail cars and ~~or~~ batten cars for guiding adjacent sail and ~~or~~ batten cars to said at least port and starboard tracks of the lower section to stow the sail, and the sail cars and batten cars are stacked on the lower section's at least port and starboard tracks, effectively reducing the vertical height of the stacked sail cars and batten cars to at least about half height, compared to storage on a single track, when the sail is stowed.